IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.1731 OF 2007

Laxminarayan Jainarayan Rathi..Applicant

Vs.

State of Maharashtra ..Respondents

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Mr. K.J.Somne with M.G.Sarda advocate for applicant
Mr. S.R.Shinde A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : JUNE 06, 2007

P.C.

1. Heard the learned advocate for the applicant and the learned A.P.P. for the State.

2. The applicant who is the original accused no.1, was granted anticipatory bail by the learned Sessions Judge for Gr.Mumbai by order dated 7.5.2007. The said bail was granted in C.R.No.67 of 2007 of M.R.A. Marg Police Station on certain conditions. The said case is under Section 420 r.w. 34 of IPC. The applicant is seeking that the conditions/directions of the Sessions Court to the applicant to deposit an amount of Rs.4 lakhs in the trial Court and directing the trial Court to

expedite the matter and conclude the trial as far as possible within six months, may be stayed.

3. By order dated 7.5.2007 the learned Sessions Judge disposed of the Anticipatory Bail Application No.419 of 2007 preferred by the present applicant and Anticipatory Bail Application No.429 of 2007 preferred by co-accused Rashmikant Dave. During the course of arguments, the learned advocates for both the accused submitted that the applicants are ready to deposit an amount of Rs.4 lakhs in the trial Court within one month from the date of the order. In view of this statement, the learned Sessions Judge granted anticipatory bail to the applicant.

4. The learned advocate for the applicant has submitted that no such condition was imposed on the other accused persons and hence, condition of depositing Rs.4 lakhs ought not to have been imposed by the learned Sessions Judge while granting anticipatory bail to the applicant. It is seen that the Court has not directed the applicant to deposit the amount but the statement was made on behalf of the applicants that the amount of Rs.4

lakhs would be deposited by them and in view of the statement, the learned Sessions Judge granted anticipatory bail. I see no reason to interfere with this order. However, I am inclined to grant further time of four weeks to the applicant to deposit the said amount. The said amount to be deposited before the trial Court within a period of four weeks from today.

5. Application is disposed of.

[Smt.V.K.Tahilramani, J.]